

## VBA Directive 7700 Occupational Safety and Health

Attached is the finalized copy of VBA Directive 7700 Occupational Safety and Health. Mr. Bill Carson has sent it through the unions for review and it has been approved. VBA has written an implementation plan for this document and is beginning to act on it.

## OCCUPATIONAL SAFETY AND HEALTH

**1. REASON FOR ISSUE:** To update the Veterans Benefits Administration (VBA) occupational safety and health (OSH) program policy.

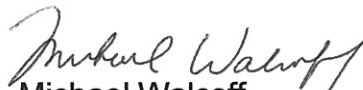
**2. SUMMARY OF CONTENTS:** This directive sets forth the policies and responsibilities for managing and implementing the VBA OSH and:

- a. Identifies the responsibilities of Administration officials and employees pertaining to the VBA OSH program.
- b. References occupational safety and health standards, executive orders, VA directives (e.g., 7700), and the Code of Federal Regulations as the primary sources for government-wide guidelines; and
- c. Identifies that the funding for the initiatives, as described, will be paid from existing funds by those organizations required to establish comprehensive OSH programs.

**3. RESPONSIBLE OFFICE:** The Office of Facilities, Access, and Administration (20M3) and the Office of Human Resources (20M1).

**4. RELATED DIRECTIVES/HANDBOOKS:** VBA Handbook 7700.1; VA Directive 7700 Occupational Safety and Health; and VA Directive 7701, Latex Allergy Prevention

**5. RESCISSIONS:** This directive replaces VBA Directive 7700, Occupational Safety and Health, dated July 16, 2003.



Michael Walcoff  
Acting Under Secretary for Benefits

Distribution:

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## **OCCUPATIONAL SAFETY AND HEALTH**

### **1. PURPOSE** The purpose of this directive is to:

- a. Revise the Veterans Benefits Administration (VBA) Occupational Safety and Health (OSH) program policy.
- b. Assign responsibility for compliance with requirements of Federal Occupational Safety and Health Administration (OSHA), VA/VBA standards and executive orders that define the VA OSH program.
- c. Recognize the use of VA's Safety Steering Committee (SSC) and the Safety Strategic Plan (SSP) as providing recommendations for overall program direction.

### **2. POLICY**

- a. Provide safe and healthful work environments.
- b. Prohibit reprisals against employees who exercise their rights under the VA OSH program.
- c. Comply with OSH requirements contained in Federal laws, regulations, executive orders, VA directives, and labor-management OSH agreements.
- d. Maintain a management infrastructure to achieve OSH program implementation.
- e. Recognize significant contributions to the OSH program through special awards.
- f. Periodically review the performance of the VBA OSH program to ensure compliance with applicable OSH codes, standards, and executive orders and ensure that all VA policy and objectives concerning safety and health are met.
- g. Fund OSH initiatives from existing funds of those organizations required to establish comprehensive OSH programs.
- h. This VBA Directive supports the Department's VA Directive 7700. If conflicts arise between the policy documents, the VA Directive will take precedence.

### **3. RESPONSIBILITIES**

VBA Central Office is responsible for implementing an OSH program which ensures that all OSH requirements are satisfied and a safe and healthful workplace is provided.

#### **a. The Under Secretary for Benefits**

- (1) Promotes and encourages the implementation of the Safety Strategic Plan.

- (2) Ensures compliance with the Department's OSH directives and handbooks.
- (3) Ensures review of VBA's existing safety program policy, makes revisions necessary to ensure compliance with VA Directive 7700, Occupational Safety and Health, and submits a draft of VBA's safety program policy to the Safety Steering Committee (SSC) within six months of the issuance of VA Directive 7700. A copy of the final safety program policy will be submitted to the SSC within one year of the issuance of VA Directive 7700 or request for an extension will be submitted to the SSC for consideration.
- (4) Develops and implements a written OSH program that ensures:
  - (a) Safe and healthful work environments.
  - (b) Regulatory compliance.
  - (c) Implementation of the components of the VA Safety Strategic Plan.
  - (d) Implementation of the following OSH programs in the absence of promulgated Federal standards and in accordance with professional consensus standards and other expert guidelines:
    1. An ergonomics program.
    2. A violence prevention program.
- (5) Appoints the Safety and Health Official (SHO) who is responsible for:
  - (a) Implementing VBA's OSH program.
  - (b) Representing VBA on the VA SSC. The VBA SHO should appoint an alternate to represent VBA and may appoint additional members to serve on the SSC.
  - (c) Ensuring field safety programs adhere to Worker's Compensation Program privacy restrictions and Federal Employees Compensation Act data, shared with safety staff is in accordance with all governing laws, rules and regulations.
- (6) Supports VA's Designated Agency Safety and Health Official (DASHO) and OSH office in performing oversight functions.
  - (a) The Under Secretary will notify the OSH office of directives (policies), handbooks (procedures), documents requiring coordination with another Federal agency, and/or national memoranda of understanding (MOU) that significantly changes an Administration's safety policy or its implementation (excluding labor-management MOUs).
  - (b) Upon the decision to coordinate policy, procedural development, or an MOU with external organizations impacting OSH, such as OSHA, the

respective Under Secretaries, Assistant Secretaries, or other key officials and the VA DASHO or OSH office will determine appropriate participation in these meetings and discussions. An example would be an emergency temporary and/or a permanent supplemental standard being drafted for application to working conditions of agency employees for which appropriate OSHA standards do not exist. NOTE: Coordination does not include contacts with external organizations for purposes of obtaining interpretations, background information, and other information gathering, including research.

- (c) The Under Secretary will provide the VA OSH office with copies of information letter(s) issued concerning OSH.
- (d) The Under Secretary will notify the VA OSH office of any OSHA-required written accident report(s) for a fatality or hospitalization of three or more employees from a single accident, i.e., the SSC would have the opportunity to discuss such a report at an SSC meeting.

(7) Consults with VA's OSH office prior to contacting OSHA concerning negotiation of notices of violations involving the death of any employee from a work-related incident, the in-patient hospitalization of three or more employees as a result of a work-related incident, a notice of violations having a penalty that would have exceeded \$100,000, violations classified as "Willful" or "Repeat," or an OSH news event involving VBA.

(8) Reviews and updates OSH directives and handbooks in accordance with VA Handbook 6330, Directives Management Procedures, and Directive 7700.

(9) Reviews the performance of VBA's OSH program before the SSC annually.

(10) Provides the VA OSH office with information needed for the annual OSHA report using the template provided by the DASHO.

(11) Ensures that adequate funds are available to develop and implement a comprehensive, compliant safety program.

(12) Assesses the safety training needs of all staff and develops and provides appropriate training.

(13) Appoints OSH managers to serve on boards of inquiry to investigate work-related fatalities or incidents resulting in the hospitalization of three or more employees.

**b. VBA Safety and Health Official (SHO)**

(1) Oversees the VBA OSH program.

(2) Recommends initiatives for the promotion and development of program objectives.

(3) Recommends VBA OSH goals to the Under Secretary for Benefits.

(4) Provides the VA DASHO with an annual report on VBA's OSH program, to include a list of VBA facilities with the dates of their last annual safety inspections and facility accomplishments. The annual report will be signed by the Under Secretary.

(5) Serves as chair of VBA's Occupational Safety and Health Coordinating Committee.

(6) Establishes and evaluates performance measures for occupational safety and health.

(7) Obtains concurrence for this document and changes from the VA DASHO.

(8) Immediately notifies the Under Secretary for Benefits and the VA OSH office of any employee fatality, hospitalization of three or more employees, including contractors' employees.

**c. VBA Occupational Safety and Health (OSH) Coordinating Committee.** At a minimum, the committee will be comprised of representatives from the Office of Field Operations, Office of Human Resources, Office of Employee Development and Training, and Office of Facilities, Access & Administration. Additional members may be appointed at the discretion of the VBA SHO. A copy of the committee's membership and meeting agenda will be provided to VA's Office of OSH. The committee (or committee members) will:

(1) Assist key officials in formulating and circulating the organization's OSH policy and programs.

(2) Provide counsel and advice to management concerning OSH matters.

(3) Evaluate and resolve, as appropriate, employee suggestions and complaints related to safety and health.

(4) Ensure that VBA OSH programs are consistently implemented throughout the organization.

(5) Review and approve pre-occupancy and occupancy agreements.

(6) Serve as a point of contact for all OSH-related activities within their respective program areas.

(7) Monitor and track facility compliance with OSH goals and inspection requirements.

(8) Assist facilities in the development of resource requirements.

(9) Identify and update OSH training needs for all VBA personnel.

(10) Participate in the quarterly VA DASHO conference call.

**d. VBA Area Directors**

- (1) Ensure all VBA facilities establish written occupational safety and health programs.
- (2) Ensure all VBA facilities have the resources to provide safe and healthful environments for employees, beneficiaries, and visitors.
- (3) Notify VBA's SHO of any employee fatality, hospitalization of three or more employees, including contractors' employees, as soon as possible, but no later than 30 minutes after the discovery of the incident.
- (4) Recognize significant contributions to the VBA Occupational Safety and Health program through special awards.

**e. VBA Facility Directors**

- (1) Ensure that employees are provided a safe and healthful work environment.
- (2) Designate Safety Officers (may be collateral duty assignments) and Occupational Safety and Health Committees for each VBA facility.
- (3) Ensure compliance with the OSHA requirements as detailed in CFR 29, Part 1960, Basic Program Requirements for Federal Employees OSHA.
- (4) Coordinate resource requirements (e.g., staffing and funding) with appropriate VBA Area Office and the Office of Field Operations in order to implement an effective OSH program.
- (5) Develop plans to achieve OSH goals as established by the Department and VBA Central Office.
- (6) Develop abatement plans (including corrective actions and interim corrective actions and revisions, as necessary) for OSH deficiencies identified.
- (7) Notify the Under Secretary for Benefits, through the appropriate VBA Area Office, Office of Field Operations, and the VBA SHO, of any employee fatality, hospitalization of three or more employees, including contractors' employees, as soon as possible, but no later than 30 minutes after the discovery of the incident.
- (8) Establish a board of inquiry when required (see VBA Handbook 7700.1.)
- (9) Ensure that appropriate personnel develop and implement the fire plan or occupant emergency plan, as appropriate.
- (10) Encourage participation in local Federal safety and health councils.
- (11) Facilitate the annual OSH inspection and/or OSHA inspections and invite employee representatives to participate in such inspections.



- (12) Provide OSH support and assistance to local VA facilities (Regional Counsel, Inspector General, headquarters programs, etc.) so that all VA OSH program requirements are satisfied.
- (13) Recognize significant OSH contributions through special awards.
- (14) Ensure that station level construction projects under facility jurisdiction are reviewed by qualified individuals to ensure compliance with applicable OSH and fire protection requirements.
- (15) Maintain OSH records (e.g., the facility log of Federal Occupational Injuries and Illnesses, air sampling records, training records) in accordance with Department of Labor (DOL) regulations.
- (16) Maintain references required to support the OSH program.
- (17) Ensure that annual OSH inspections/hazard surveillance surveys and industrial hygiene surveys are conducted by qualified safety and or health professionals for all facilities, including outbased offices.
- (18) Review workers' compensation claims forms (CA-1, *Federal Employee's Notice of Traumatic Injury and Claim For Continuation of Pay/Compensation*; CA-2, *Notice of Occupational Disease and Claim for Compensation*; or CA-6, *Official Superior's Report of Employee's Death*) to ensure consistency with the facility log of Federal Occupational Injuries and Illnesses.
- (19) Approve all personal protective equipment provided throughout the facility. Approvals must be documented in writing.
- (20) Provide training and necessary official time for union safety representatives.
- (21) Provide the following OSH-related support (these support services are the responsibility of the facility Director, even if support services are provided by other VA facilities):

(a) Human Resources:

- 1. Ensure that workers' compensation claim forms (CA-1s, CA-2s, etc.) are completed accurately and within mandatory timeframes for facilities serviced. A claim is considered timely when Office of Workers' Compensation Programs (OWCP) receives it within 14 calendar days of the supervisors' receipt of the claim from an employee.
- 2. Work with local OWCP District offices to ensure that all cases are managed appropriately.
- 3. Ensure that reports generated from workers' compensation data reflect facility cases.

4. Report discrepancies concerning work-related injury and illness data in accordance with OWCP regulations.

5. Provide facility safety and/or appropriate health personnel a copy of the workers' compensation forms (i.e., CA-1, CA-2, or CA-6) submitted to the Department of Labor (DOL).

6. Maintain and provide access to workers' compensation records in accordance with VA, DOL, and Office of Personnel Management regulations.

7. Ensure that all performance standards address OSH responsibilities.

8. Assist appropriate employee health personnel, supervisors, and facility safety personnel to identify light-duty assignments.

9. Ensure that facility safety and health training records are maintained appropriately.

(b) Finance:

1. Ensure that continuation of pay and other cost data associated with workers' compensation claims for the facilities serviced are accurate;

2. Report discrepancies in accordance with financial reporting procedures concerning costs of work-related injuries and illnesses; and

3. Forward a quarterly report of the costs associated with each lost-time injury or illness to appropriate facility safety and/or health personnel.

(c) Acquisition (Support Services, purchase card holders, etc.):

1. Request a Material Safety Data Sheet (MSDS) for purchases of hazardous chemicals. Purchase order should state, "HAZARDOUS: MSDS REQUIRED";

2. Provide access to purchase order requests to determine if hazardous materials are being requested and/or if the appropriate MSDS has been provided;

3. Ensure that products purchased comply with VA regulations and requirements (coordinate with the servicing medical center or VA Office of Acquisition and Materiel Management);

4. Inform contractor of hazards that their employees will encounter (for example, maintenance or construction personnel at VA owned buildings); and

5. Ensure that any contractor using hazardous materials in VBA space assignments or VA owned buildings provides MSDSs to facility OSH personnel.

**f. Safety Officer and/or Collateral-Duty Safety Personnel:**

- (1) Develop OSH policies, programs, and procedures for the facility and ensure that the facility OSH program is consistent with VA and organizational policies.
- (2) Coordinate the facility OSH program.
- (3) Ensure that lost-time injuries and illnesses are thoroughly evaluated and that recommended corrective actions prevent a recurrence of similar incidents.
- (4) Ensure that VA Form 2162, *Supervisor's Injury and Illness Investigation Report*, (or equivalent) be submitted for all illnesses/injuries. A VA Form 2162 should be completed even when a CA-1 or CA-2 is not completed. The forms will be used for reference and training purposes.
- (5) Assist the appropriate health personnel, supervisors, and/or human resources management personnel to develop or identify light-duty assignments for injured employees.
- (6) Assist management officials to identify local OSH training needs and develop and present OSH training and orientation for facility personnel.
- (7) Evaluate and resolve, as appropriate, employee suggestions and complaints related to safety and health.
- (8) Ensure that a qualified professional reviews and comments on the safety and industrial hygiene-related portions of facility construction/renovation project designs and specifications, operations and maintenance procedures, and new equipment, materials, chemicals, and processes proposed for use at the facility to ensure compliance with VA safety and health requirements.
- (9) Assist in the development and implementation of operations and maintenance procedures that ensure that these activities are completed safely and do not result in the exposure of beneficiaries, visitors, or employees to potential hazards.
- (10) Support the Contracting Officer's Technical Representative during inspections of construction projects in progress at the facility to ensure that the safety and health of VA beneficiaries, visitors, and employees are maintained.
- (11) Evaluate new equipment and processes introduced at the facility to ensure that VA OSH requirements are satisfied.
- (12) Coordinate the development and administration of the facility fire plan or occupant emergency plan, as appropriate.
- (13) Promote employee involvement in the safety program.

(14) Serve as liaison to interact with the local union safety representative on safety issues.

(15) Coordinate annual OSH inspections/hazard surveillance surveys.

(16) Conduct semi-annual inspections to ensure that all hazardous chemicals have Material Safety Data Sheets. A MSDS for each chemical must be readily available to all employees and the Safety Officer will retain a copy of all MSDSs in the facility.

**g. OSH Committee:**

(1) The committee will be appointed by the facility director and, at a minimum, shall consist of the station assistant director or equivalent management representative as chair, the safety officer or collateral duty safety personnel, the local union safety representative, and other station personnel deemed appropriate by the director.

(2) Assist in the development and revision of policies, programs, and procedures (including operations and maintenance procedures) related to OSH for the facility, recommending approval, and evaluating the effectiveness of these policies, programs, and procedures.

(3) Review and comment on OSHA, annual OSH inspection reports, and resulting OSH abatement plans and revisions, including corrective actions or interim corrective actions.

(4) Participate (as appropriate) in industrial hygiene surveys and review the resulting reports.

(5) Recommend and monitor resource allocations for the facility OSH program.

(6) Provide multidisciplinary support concerning injury and illness prevention and monitoring the status of such initiatives.

(7) Establish subcommittees or other work groups to address OSH concerns that require additional evaluation or development.

(8) Identify OSH-related trends and develop strategies to reduce or eliminate risks.

(9) Promote OSH throughout the facility.

(10) Ensure that OSH-related problems and deficiencies identified by committee members and employees are resolved in a timely manner, so that a safe and healthful environment is provided for VBA beneficiaries, visitors, and employees.

**h. Division Chiefs and Supervisors**

(1) Enforce OSH rules, regulations, and standards within their areas of responsibility;

- (2) Identify unsafe and unhealthful conditions and practices in the workplace and take prompt corrective action.
- (3) Encourage employee suggestions on how to improve OSH.
- (4) Notify facility safety personnel of work-related injuries and illnesses.
- (5) Investigate injuries and illnesses that occur to employees under their supervision, documenting this investigation on VA Form 2162 (or equivalent), *Supervisor's Injury and Illness Investigation Report*, or another appropriate form, and institute or recommend corrective actions intended to prevent recurrence of similar injuries or illnesses.
- (6) Ensure that employees under their supervision receive prompt and appropriate medical attention in the event of an injury or illness.
- (7) Complete compensation and accident investigation forms.
- (8) Instruct employees under their supervision in safe work practices and correct employees that do not follow safe work practices.
- (9) Initiate disciplinary action, as appropriate, against employees who repeatedly violate safe work practices and procedures.
- (10) Ensure that employees under their supervision are trained to perform their work safely, that they are aware of the hazards, if any, involved in their normal work functions, and that such training is properly documented.
- (11) Develop and implement service and/or job-specific OSH policies and procedures.
- (12) Retain file copies of MSDS for hazardous chemicals used by employees under their supervision or stored in an area for which they are responsible. These copies contain instructions for care if an employee comes in contact with the chemical.

**i. VBA Employees:**

- (1) Follow safe work procedures, including use of required personal protective equipment.
- (2) Recognize unsafe and unhealthful conditions and take prompt corrective action within their authority.
- (3) Report unsafe conditions or practices and work-related injuries or illnesses to supervisory personnel.
- (4) Become knowledgeable of specific OSH requirements for and attend OSH training related to assigned tasks.
- (5) Complete compensation and accident reporting forms.

- (6) Wear a safety belt and shoulder harness, when available, while traveling in a vehicle on official business.
- (7) Become familiar with hazards that may be present and follow appropriate safe work practices when on travel or assigned to non-VA facilities.
- (8) Notify supervisor of any special health sensitivities.

#### **4. REFERENCES**

- a. Americans With Disabilities Act (Public Law 101-336)
- b. Executive Order (E.O.) 12196, Occupational Safety and Health Programs for Federal Employees
- c. E.O. 13043, Increasing Safety Belt Use in the United States
- d. OSHA Publication 2014, Recordkeeping and Reporting Guidelines for Federal Agencies
- e. Sections 6 and 19 of the Occupational Safety and Health Act of 1970 (OSH Act) (Public Law 91-596)
- f. Title 29, Code of Federal Regulations (CFR), Part 1960, Basic Program Elements for Federal Employee OSH programs and Related Matters
- g. VA Directive 0320, Emergency Preparedness Planning
- h. VA Handbook 0320.1, Emergency Preparedness Planning
- i. Labor Management agreement – Article 28
- j. VA Directive 7700, Occupational Safety and Health